

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION

UNITED STATES OF AMERICA  
upon the relation and for the use of the  
TENNESSEE VALLEY AUTHORITY  
Plaintiff

v.

No. 1:10-cv-00095-SA-JAD

AN EASEMENT AND RIGHT-OF-WAY  
OVER 0.80 ACRE OF LAND, MORE  
OR LESS, IN ALCORN COUNTY,  
MISSISSIPPI, and  
OLEN VOYLES  
BERNICE H. VOYLES, his wife  
Defendants

**JUDGMENT AND ORDER DISBURSING FUNDS**

This action came on to be considered, and it appears to the Court, as evidenced by the signatures below, that the parties have agreed to resolve this action as hereinafter provided;

It is, therefore, Ordered and Adjudged that:

1. The Defendants shall recover of Plaintiff \$25,000 as full compensation for the taking of the easement and right-of-way herein condemned, which amount has been deposited by Plaintiff with the registry of this Court in this action, the disbursement of which is provided for in paragraph 2 below.

2. The Clerk of this Court is authorized and directed to draw a check on the funds on deposit in the registry of this Court in the amount of \$25,000 payable to Olen and Bernice H. Voyles, in full satisfaction of this Judgment, and to mail said check to

Jeremy A. Blaylock, Esq., Blaylock Law Firm, PLLC, 616 East Waldron Street, Corinth, Mississippi 38834.

3. The vesting of title in the United States of America, free of all liens, claims, and encumbrances, as evidenced by the Declaration of Taking (DN 2) filed herein on April 22, 2010, is hereby fully and finally confirmed with respect to the following-described easement and right-of-way, said description being the same as in Attachment 1 to the Declaration of Taking (DN 2) filed herein:

A permanent easement and right-of-way, consisting of the perpetual right to enter and to erect, maintain, repair, rebuild, operate, and patrol lines of transmission line structures with sufficient wires and cables for electric power circuits and communication circuits, and all necessary appurtenances, including guy wires, in, on, over, and across said right-of-way, together with the right to clear said right-of-way and keep the same clear of all trees, brush, buildings, signboards, billboards, stored personal property, and fire hazards, to destroy or otherwise dispose of such trees and brush, and to remove, destroy, or otherwise dispose of any trees located beyond the limits of said right-of-way which in falling could come within five feet of any transmission line structure or conductor located thereon, the Tennessee Valley Authority to remain liable for any direct physical damage to the land, annual crops, fences, and roads resulting directly from the operations of its construction and maintenance forces in the exercise of said rights.

TRACT NO. CBIG-47 DESCRIPTION:

A parcel of land located in the NW 1/4 of the NW 1/4 of Section 27, Township 3 South, Range 7 East, Alcorn County, State of Mississippi, as shown on a map entitled "Corinth-Biggersville Transmission Line," drawing LW-8691, sheet P3, R.1, a portion of said map which shows said parcel of land being attached to the Declaration of Taking filed herein, the said parcel being more particularly described as follows:

Commencing at a point which is the northwest corner of Section 27, the said point being common to Sections 27, 28, 21, and 22; thence leaving the said section corner and with the line between Section 27 and 22 S. 89° 49' 29" E., 286.07 feet to a point on the centerline of the transmission line location at survey station 499+33.5; thence leaving the said section line and with the centerline of the location S. 00° 16' 55" W., 117.34 feet to a point on the south right-of-way line of State of Mississippi (U.S. Highway 45) and the north property line of Olen Voyles

et ux., at survey station 500+50.84, the said point being the POINT OF BEGINNING.

Thence leaving the point of beginning and the centerline of the location and with the meanders of the said road right-of-way line and the said property line in an easterly direction 50.09 feet to a point on the east right-of-way line of the location, the said point being 50 feet left of the centerline of the location at survey station 500+47.87; thence leaving the said road right-of-way line and the said property line and with the said east right-of-way line of the location S. 00° 16' 55" W., 352.72 feet to a point on the property line between Olen Voyles, et ux., and Alcorn County Electric Power Association; thence leaving the said east right-of-way line of the location and with the said property line Due West, 100 feet, crossing the centerline of the location at survey station 504+00.8 (50 feet), to a point on the west right-of-way line of the location; thence leaving the said property line and with the said west right-of-way line of the location N. 00° 16' 55" E., 277.01 feet to a point on the east right-of-way line of State of Mississippi (U.S. Highway 45) and the west property line of Olen Voyles, et ux., the said point being 50 feet right of the centerline of the location at survey station 501+24.08; thence leaving the said west right-of-way line of the location and with the meanders of the said road right-of-way line and the said property line in a northerly direction 70.67 feet to a point, the said point being a concrete monument (broken) 45.69 feet right of the centerline of the location at survey station 500+53.54; thence continuing with the meanders of the said road right-of-way line and the said property line in an easterly direction 45.77 feet to the Point of Beginning and containing 0.80 acre, more or less.

Furthermore, the above-described easement rights are acquired with respect to such appurtenant right, title, and interest as the owner of the above-described land may have in Tract CBIG-45, State of Mississippi (U.S. Highway 45), the adjoining road right-of-way shown on the map referenced above.

The above-described parcel of land is lying entirely in the NW 1/4 of the NW 1/4 of Section 27, Township 3 South, Range 7 East, Alcorn County, State of Mississippi.

Recording Information: Record landowners as of the date of the filing of the Declaration of Taking — Olen Voyles and Bernice H. Voyles (Deed Book 183, page 92)

4. The Clerk of this Court shall furnish to the Plaintiff a certified copy of this

Judgment which shall serve as a muniment of title.

SO ORDERED AND ADJUDGED this 14<sup>th</sup> day of July, 2010.

Sharion Aycock  
SHARION AYCOCK  
UNITED STATES DISTRICT JUDGE

We hereby approve and consent to the entry of this Judgment:

s/Thomas A. Robins  
Thomas A. Robins  
Senior Attorney  
Tennessee Valley Authority  
400 West Summit Hill Drive  
Knoxville, Tennessee 37902-1401  
Telephone 865-632-7034  
Facsimile 865-632-6718  
Email tarobins@tva.gov  
Attorney for Plaintiff

s/Olen Voyles  
Olen Voyles  
6 County Road 410  
Rienzi, Mississippi 38865

s/Bernice H. Voyles  
Bernice H. Voyles  
6 County Road 410  
Rienzi, Mississippi 38865  
Defendants